

# BEST IMAGES POSSIBLE

THE FOLLOWING DOCUMENT OR DOCUMENTS  
WERE SCANNED AS RECEIVED AND CONTAINS  
THE BEST POSSIBLE IMAGE.

MICRO RECORDS COMPANY, INC  
BALTIMORE, MARYLAND



IN RE: PETITION FOR ZONING VARIANCE  
N/5 St. Paul Avenue, 1000' +/-  
E of Hearnwood Road  
(10618 St. Paul Avenue)  
2nd Election District  
2nd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-341-A

Michael J. Kosko, Jr., et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 42 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Wallace Dann, Esquire, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 10618 St. Paul Avenue, consists of 1.81 acres more or less zoned R.C. 5 and is currently improved with a single family dwelling. Petitioners propose constructing an addition on the east side of the existing dwelling to provide more habitable space and storage area. Testimony indicated that the existing dwelling is approximately 130 years old and that the rooms are small. Testimony further indicated that Petitioners have spoken with adjoining property owners who have voiced no objection to their plans. Testimony presented by Petitioners' counsel indicated that the granting of the requested variance will not create any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of February, 1989 that the Petition for Zoning Variance to permit a side yard setback of 42 feet in lieu of the required 50 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-9333

J. Robert Haines  
Zoning Commissioner

February 27, 1989

Wallace Dann, Esquire  
Evans, George & Bronstein  
29 W. Susquehanna Avenue, Suite 205  
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE  
N/5 St. Paul Avenue, 1000' +/- E of Hearnwood Road  
(10618 St. Paul Avenue)  
2nd Election District - 2nd Councilmanic District  
Michael J. Kosko, Jr., et ux - Petitioners  
Case No. 89-341-A

Dear Mr. Dann:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

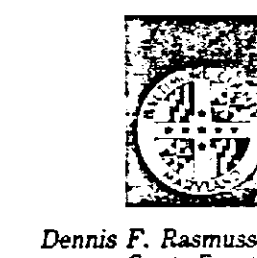
Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File



Dennis F. Rasmussen  
County Executive

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-341-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Variance from Section 1604.3.B.3. To allow a side yard setback of 42 feet in lieu of the required 50 feet.

NEED ADDITIONAL LIVING SPACE + STORAGE  
AREA DUE TO VERY SMALL BIASEMENT WHICH  
ONLY CONTAINS FURNACE AREA.

As prescribed by Zoning Regulations.

Variance advertising, posting, etc., upon filing of this Variance by the zoning regulations and restrictions of Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
MICHAEL J. KOSKO, JR.  
(Type or Print Name)  
Signature: MICHAEL J. KOSKO, JR.  
Signature: MICHAEL J. KOSKO, JR.  
Signature: MICHAEL J. KOSKO, JR.

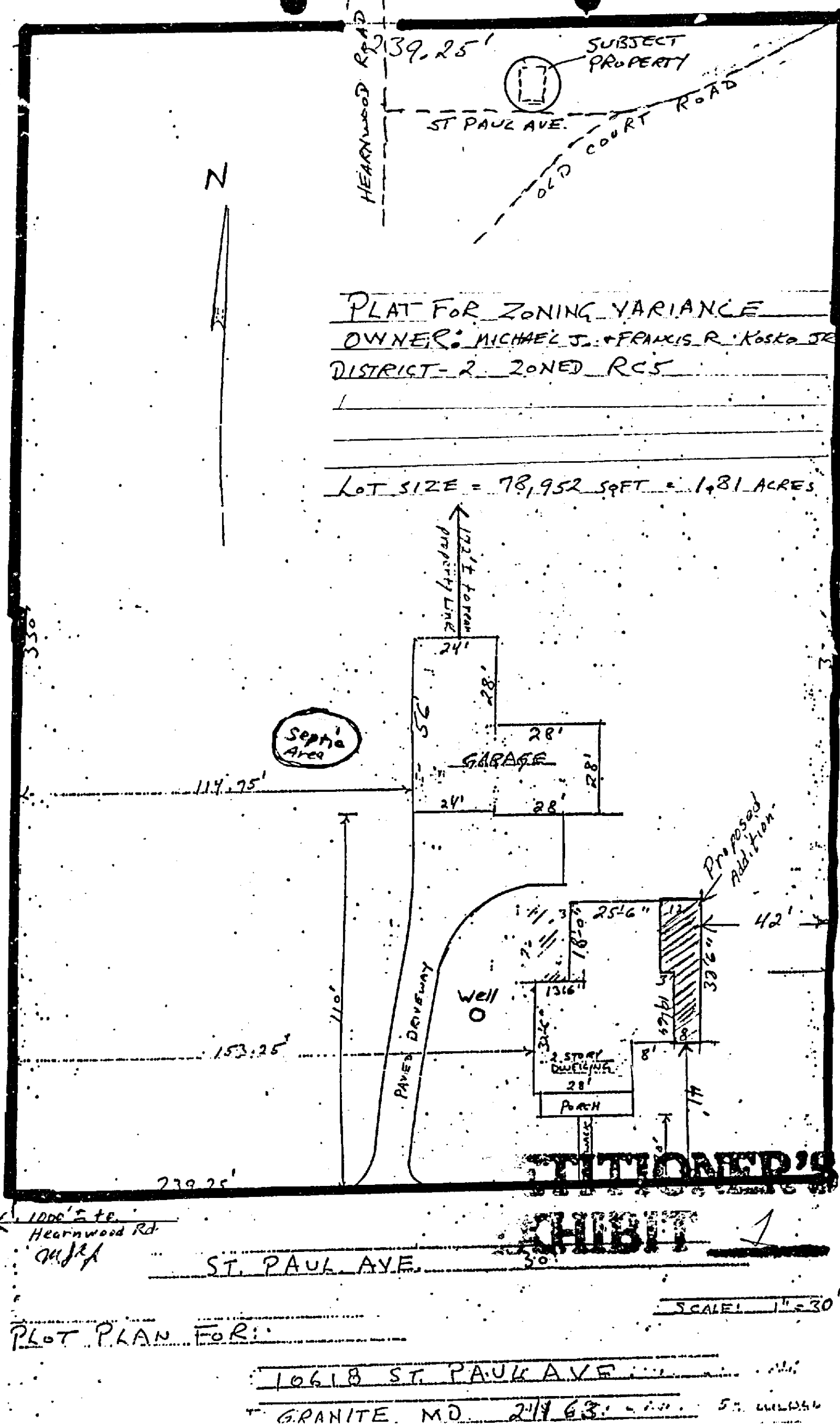
10618 ST. PAUL AVE. 461-5432  
Address Phone No.  
WOODSTOCK, MD. 21663  
City and State

Name, address and phone number of legal owner, correct purchaser or representative to be contacted:  
Name: MICHAEL J. KOSKO, JR.  
Address: 10618 ST. PAUL AVE.  
City and State: WOODSTOCK, MD.  
Phone No.: 461-5432

Attorney's Telephone No.: 461-5432

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of February, 1989, at 2 o'clock P.M.

Zoning Commissioner of Baltimore County.



#### Zoning Description

Beginning on the north side of Saint Paul Ave. 30 feet wide at the distance 1,000 ft. E. of Hearnwood Road thence running 239.25 ft. east, thence 330 ft. north, thence 239.25 ft. west, thence 330 ft. south to the point of beginning. Also known as 10618 St. Paul Avenue in the 2nd Election District.

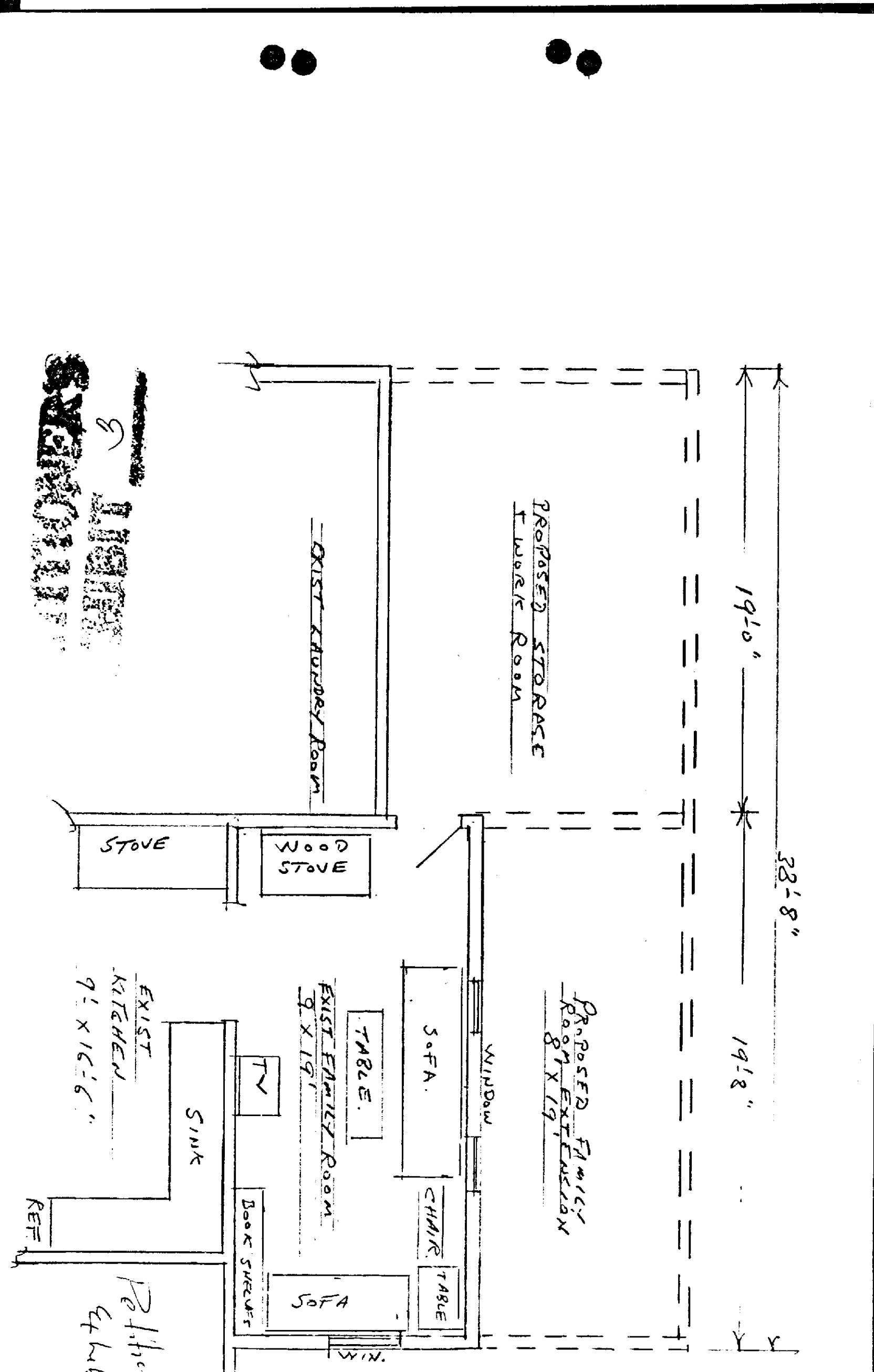
#### CERTIFICATE OF PUBLICATION

TOWSON, MD., February 3, 1989.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 2, 1989.

THE JEFFERSONIAN,  
S. Zake, Publisher

PO 09614  
reg M2537  
ca 89-341-A  
price \$37.43



#### NOTICE OF HEARING

Baltimore County  
Zoning Department  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-9333

Notice is hereby given that a public hearing will be held before the Zoning Commission of Baltimore County on the 23rd day of February, 1989, at 2:00 p.m. in Room 106, County Office Building, Towson, Maryland, to consider a petition for a variance from Section 1604.3.B.3. of the Zoning Regulations of Baltimore County to allow a side yard setback of 42 feet in lieu of the required 50 feet for a proposed addition to the property located at 10618 St. Paul Avenue, Granite, Maryland. The petition is filed in Case No. 89-341-A.

Per: Michael J. Kosko, Jr.

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland 89-341-A

District: 2nd  
Posted for: Michael J. Kosko, Jr.  
Petitioner: Michael J. Kosko, Jr.  
Location of property: N/5 St. Paul Avenue, 10618 St. Paul Avenue, Granite, MD.  
Location of Sign: On the East of 10618 St. Paul Avenue

Remarks: See Exhibit 1  
Posted by: Michael J. Kosko, Jr.  
Date of return: 2/27/89



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 2/1/89

Mr. & Mrs. Michael J. Kosko, Jr.  
10618 St. Paul Avenue  
Woodstock, Maryland 21163

Re: Petition for Zoning Variance  
CASE NUMBER: 89-341-A  
NS St. Paul Avenue, 1000' ± E. Heartwood Road  
10618 St. Paul Avenue  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Michael J. Kosko, Jr., et ux  
HEARING SCHEDULED: THURSDAY, FEBRUARY 23, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Kosko:

Please be advised that \$879 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 005797

DATE: ACCOUNT: AMOUNT: \$

RECEIVED FROM: AMOUNT: \$

FOR: \$

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

January 23, 1989

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-341-A  
NS St. Paul Avenue, 1000' ± E. Heartwood Road  
10618 St. Paul Avenue  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Michael J. Kosko, Jr., et ux  
HEARING SCHEDULED: THURSDAY, FEBRUARY 23, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 42 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Mr. & Mrs. Kosko  
File

89-341-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
21st day of December, 1988.

J. Robert Haines

J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Michael J. Kosko, Jr., et ux  
Petitioner's Attorney: Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

### BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 8, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Michael J. Kosko, Jr.  
10618 St. Paul Avenue  
Woodstock, MD 21163

RE: Item No. 241, Case No. 89-341-A  
Petitioner: Michael J. Kosko, Jr., et ux  
Petition for Zoning Variance

#### MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Dear Mr. Kosko:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer/jed  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
(801) 887-3554

January 17, 1989

Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 199, 205, 209, 237, 238, 239, 240, 241, 243, 244, 245, 246, and 247.

Michael S. Flanigan  
Traffic Engineer Associate II

MSF/LW

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Michael J. Kosko, Jr., et ux

Location: NS St. Paul Avenue, 1,000' ± E. of Heartwood Rd.  
10618 St. Paul Avenue  
Item No.: 241 Zoning Agenda: Meeting of 12/20/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable & required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Paul H. Reincke, 12/29/88 NOTED & APPROVED: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

J. Robert Haines  
TO: Zoning Commissioner Date: February 12, 1989  
Pat Keller, Deputy Director  
FROM: Office of Planning and Zoning  
Zoning Petition Nos. 89-327-XA (Mt. Carmel Meth.); 89-329-A  
SUBJECT: (Capital Homes) and 89-341-A (Kosko)

The Office of Planning and Zoning has no comment on the above petitions.

PK/sf

RECEIVED  
FEB 13 1989  
ZONING OFFICE

cc Michael J. Kosko, Jr., et ux